

Message Text

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ACTION DLOS-09

INFO OCT-01 EUR-12 EA-07 ISO-00 FEA-01 ACDA-07 AGRE-00

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 EPG-02 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 L-03

NSAE-00 NSC-05 NSF-01 OES-07 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 OIC-02 NSCE-00 SSO-00 USIE-00

INRE-00 /128 W

-----010905Z 019038 /20

O R 010818Z JUN 77

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC IMMEDIATE 4256

USMISSION USUN NY IMMEDIATE

INFO CINCPAC

AMEMBASSY MOSCOW

C O N F I D E N T I A L SEOUL 4573

CINCPAC FOR POLAD, USUN PASS TO LOS DEL

EO 11652: GDS

TAGS: PLOS KS

SUBJ: ROK POSITION ON SIXTH LOS CONFERENCE

REF: A) STATE 116543 201515Z MAY 77 (NOTAL) B. STATE 116631
(201615Z MAY 77 NOTAL) C) SEOUL 1449 180904Z FEB 77

SUMMARY: ROK LOS DEL MEMBER SAYS ROK WILL FOCUS ON WARSHIP
PASSAGE THROUGH TERRITORIAL WATERS, STRAITS AND ECONOMIC
ZONES AND REGIME OF ISLANDS AT SIXTH LOS CONFERENCE.
ALTHOUGH KOREANS HAVE TRADITIONALLY SUPPORTED COASTAL
STATE CONSENT FOR MARINE RESEARCH, ROK DEL WILL LISTEN
CLOSELY TO US DEL'S VIEWS IN NEW YORK. END SUMMARY

1. IN MAY 27 CONVERSATION WITH MOFA TREATIES DIVISION
CHIEF PAE KYONG-SUN (WHO WILL JOIN KOREA'S LOS DELEGATION
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IN NEW YORK JUNE 10), EMBOFF DESCRIBED U.S. HOPES FOR
LOS SIXTH SESSION (REF A) IN GENERAL TERMS. EMBOFF ALSO
PROVIDED PAE WITH TEXT OF U.S. PROPOSAL FOR MARINE SCIENTIFIC
RESEARCH (REF B) ALONG WITH BACKGROUND, AND REVIEWED TALKING
POINTS. PAE LISTENED CLOSELY, AND RESPONDED WITH SUMMARY
OF KOREAN POSITION.

2. PAE SAID THE KOREANS ARE WORRIED THAT UNILATERAL ACTIONS BY VARIOUS NATIONS (INCLUDING, "IRONICALLY", SOME OF THE FIRST PROPONENTS OF LOS) MAY HAVE ESTABLISHED A TREND WHICH WILL VITIATE THE CONFERENCES GOALS. ACCORDING TO PAE, KOREA HAS SO FAR EXERCISED RESTRAINT DESPITE ITS CLEAR INTERESTS (SUCH AS THE NORTH KOREAN THREAT, AND THE NEED TO PROTECT ITS MARINE RESOURCES) IN UNILATERAL ACTIONS. HOWEVER NOW ROKG HAS ESTABLISHED A CABINET LEVEL COMMITTEE UNDER THE PRIME MINISTER WHICH WILL WATCH THE SIXTH SESSION CLOSELY FOR AN INDICATION WHETHER CONTINUED ROK FAITH IN THE LOS APPROACH IS VIABLE. (COMMENT: EMBASSY HAS REPORTED (REF C) KOREAN "RESTRAINT" MAY ALSO HAVE BEEN DUE TO AN INTERNAL BUREAUCRATIC LOGJAM OF COMPETING INTERESTS AND OPINIONS).

3. PAE'S COMMENTS ON SPECIFIC ISSUES FOCUSED ON QUESTIONS OF THE RIGHTS OF WARSHIPS TO PASS THROUGH TERRITORIAL WATERS, STRAITS, AND ECONOMIC ZONES. PAE OCCASIONALLY EXPRESSED THIS CONCERN EXPLICITLY, BUT MORE FREQUENTLY PROFESSED KOREANS ARE AS YET UNCLEAR ON DEFINITIONS OF CRUCIAL TERMS IN RSNT. WHILE KOREA DOES NOT INSIST UPON THE PRINCIPLE OF INNOCENT PASSAGE THROUGH STRAITS, ETC., NEITHER IS SHE COMFORTABLE WITH THE PRINCIPLE OF FREE PASSAGE, AND THE TROUBLE IS THAT THE RSNT DEFINITION OF THE PROPOSED PRINCIPLE OF TRANSIT PASSAGE IS NOT CLEAR ENOUGH FOR THE KOREANS TO BE SURE HOW IT DIFFERS FROM FREE PASSAGE. SIMILARLY, WHILE THE KOREANS DO NOT SUPPORT THOSE COASTAL STATES WHO INSIST THE ECONOMIC ZONE SHOULD HAVE THE SAME STATUS AS TERRITORIAL WATERS, PAE DECLINED

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TO COMMENT ON THE PROPOSITION IT SHOULD HAVE HIGH SEAS STATUS, REMARKING, HOWEVER, THAT HE IS WELL AWARE OF THE TRADITIONAL U.S. POSITION. FINALLY, PAE EXPRESSED HOPE THAT ESPECIALLY THE THIRD PARAGRAPH OF ARTICLE 128 PART II (REGIME OF ISLANDS) MIGHT BE IMPROVED. PAE SUGGESTED THE CONFERENCE MIGHT AGREE UPON ADDITIONAL CRITERIA SUCH AS SIZE, LOCATION, ECONOMIC VALUE, ETC., AS VALID MEANS OF DECIDING WHICH ISLANDS CAN DETERMINE ECONOMIC ZONES, ETC. PAE DENIED, HOWEVER, THAT ROKG HAS DECIDED THE RSNT IS UNACCEPTABLE ON ANY OF THE POINTS HE RAISED, INSTEAD ONLY SAYING THAT THE KOREANS LOOK FORWARD TO FRUITFUL DISCUSSION IN NEW YORK.

4. CONCERNING THE U.S. PROPOSAL FOR MARINE SCIENTIFIC RESEARCH (REF B), PAE RESPONDED THAT TRADITIONALLY KOREA HAS SUPPORTED THE PRINCIPLE REQUIRING CONSENT BY COASTAL STATES. HOWEVER, IN RESPONSE TO EMBOFF'S REMARKS FOLLOWING TALKING POINTS, PAE QUALIFIED HIS STATEMENT OF PRINCIPLE, REPLYING VAGUELY THAT PRECISE EXTENT TO WHICH PRINCIPLE OF

CONSENT SHOULD BE HONORED IS STILL OPEN. PAE SAID ROK
DELEGATION WILL LISTEN CLOSELY TO U.S. SIDE IN NEW YORK
ON THIS ISSUE.

5. FINALLY, PAE DISMISSED AS TOTALLY UNFOUNDED THE RECENT
SPATE OF PRESS REPORTS ROKG WILL USE OCCASION OF SIXTH
SESSION IN ATTEMPTS AT CONTACTING USSR ON ISSUE OF KOREAN
FISHING RIGHTS OFF KAMCHATKA PENINSULA. PAE SAID ROKG
REALIZES IT IS INAPPROPRIATE TO DISCUSS BILATERAL ISSUES AT
AN INTERNATIONAL CONFERENCE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, TERRITORIAL WATERS
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977SEOUL04573
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770194-0759
Format: TEL
From: SEOUL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197706102/aaaadliw.tel
Line Count: 127
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f0e00773-c288-dd11-92da-001cc4696bcc
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 116543, 77 STATE 116631
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 16-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2000898
Secure: OPEN
Status: NATIVE
Subject: ROK POSITION ON SIXTH LOS CONFERENCE
TAGS: PLOS, KS, XX
To: STATE USUN NEW YORK
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/f0e00773-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009